

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Lula Fitzgerald

v.

Civil No. 11-cv-339-SM

Red Roof Inn, Inc., et al

NOTICE OF RULING / ORDER

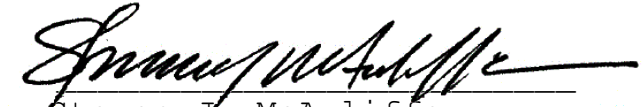
Re: Document No. 17, Motion to Dismiss

Ruling: Granted, in part. The docket does disclose an apparent determination by plaintiff to abandon her claims. Dismissal, particularly with prejudice, is a strong remedy, however, and plaintiff's circumstances, as pled, are such that the matter ought to be clear (particularly given the absence of any violations of orders to compel discovery, etc.). Accordingly, plaintiff shall show cause on or before December 16, 2012, why this case should not be dismissed for failure to prosecute. Failure to respond in a timely fashion, i.e. on or before December 16, 2012, will result in dismissal with

prejudice for failure to prosecute and failure to comply with court orders.

So ordered.

November 29, 2012


Steven J. McAuliffe
United States District Court

cc: Lula Fitzgerald
Heidi R. Wolmuth, Esq.